

REMARKS

Foreign Priority:

Applicant thanks the Examiner for acknowledging the claim to foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copy of the priority document has been received.

However, the Examiner has objected to the specification, indicating that the incorporation by reference of the priority application is improper, because the priority application has not published.

Applicant has amended the specification to remove language which incorporates the priority document by reference. Thus, Applicant requests the Examiner withdraw the above objection.

However, Applicant notes that because this language was originally filed with the application, the entire disclosure of the Japanese priority of document is incorporated into the present application, in its entirety..

Information Disclosure Statement:

Applicant thanks the Examiner for returning the initialed Forms PTO/SB/08 A & B filed on December 8, 2003 and May 20, 2004 thus indicating that all of the references listed thereon have been considered.

Drawings:

Applicant also thanks the Examiner for indicating that the drawings filed on December 8, 2003 have been accepted.

Allowable Subject Matter:

Applicant sincerely thanks the Examiner for indicating claims 1-8 and 11-19 have been allowed.

Claim Rejections:

Claims 1-19 are all of the claims pending in the present application, and currently only claims 9 and 10 stand rejected.

35 U.S.C. § 102(b)/103(a) Rejection - Claim 9:

Claim 9 stand rejected under 35 U.S.C. § 102(b)/103(a) as being anticipated or rendered obvious in view of U.S. Patent No. 3,684,278 to Takahaski. In view of the following discussion, Applicant respectfully traverses the above rejection.

Figures 6(I) through 6(VI), of Takahashi show a series of rollers, which can rotate in differing directions, to separate a negative sheet “O” from a sensitive sheet “S.” As recognized by the Examiner, it is not clear which of the disclosed sheets (i.e. O or S) is a “protective sheet.”

However, even with the above disclosure, Applicant submits that claim 9 is patentable over the Takahaski reference. Specifically, as the Examiner has admitted (regarding claims 1-8 and 11-18) there is no disclosure of moving the roller B into position to contact the protective sheet. The roller B remains in a single position as the sheets O and S are brought into contact with the roller B. Thus, Takahaski fails to disclose this aspect of the claimed invention.

Stated differently, Takahashi fails to disclose “moving a second roller, which rotates in a direction opposite the first direction, from a first position to a second position to abut the

protective sheet, thereby applying conveying force in the direction opposite the first direction to the protective sheet and peeling the protective sheet from the sheet.” See claim 9.

In view of the foregoing, Applicant submits that Takahashi fails to disclose each and every element of the claimed invention, in particular the claimed etching adjustment layer. Therefore, Takahashi fails to anticipate the claimed invention, as required under the provisions of 35 U.S.C. § 102(b). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the 35 U.S.C. § 102(b) rejection of the above claim.

Additionally, Applicant respectfully submits that the present invention would not have been obvious to one of ordinary skill in the art, in light of the Takahashi reference. Therefore, Applicant submits that the Examiner has failed to establish a *prima facie* case of obviousness with respect to the claimed invention, as required under 35 U.S.C. § 103(a). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 103(a) rejection of the above claim.

35 U.S.C. § 103(a) Rejection - Claim 10:

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable of Takahaski in view of the admitted prior art. However, as the prior art fails to cure the deficient teachings of Takahaski, Applicant submits that claim 10 is also allowable, at least by reason of its dependence.

Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

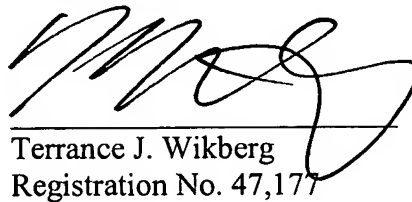
AMENDMENT UNDER 37 C.F.R. §1.111
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Art Unit: 1734

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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